

INDUSTRIAL SITE RECOVERY ACT

Regulated Underground Storage Tank Waiver Application and Instructions N.J.A.C. 7:26B-5.3

This application is intended to simplify the procedures to apply for and obtain an approval for a Regulated Underground Storage Tank Waiver pursuant to the Industrial Site Recovery Act (ISRA), and N.J.A.C. 7:26B-5.3. Please read the directions completely before completing the application. Check the appropriate space for each question. Do NOT leave any question unanswered. Your application will automatically be found deficient if any question has not been answered.

In summary, N.J.A.C. 7:26B-5.3 allows an applicant to close operations or transfer the ownership or operations of an Industrial Establishment without obtaining NJDEP approval of a Remedial Action Workplan or No-Further-Action approval in accordance with section 4 of ISRA, if the only areas of concern or the only discharges at the industrial establishment are from regulated underground storage tanks.

Submit (1) original signed copy of this application along with the Regulated UST Waiver Application fee, the completed General Information Notice, a complete preliminary assessment (PA) report and site investigation (SI) report, as applicable, and the appropriate PA or SI review fee (see attached fee submittal form). **Note: Applications received without the required review fees will not be assigned to a case manager and no review will commence until the review fee is received.**

The Department will accept mimeograph copies or computer-generated copies of this application provided the copies are legible, all questions on this form are included and no changes are made to the wording contained herein.

The paragraphs below correspond to the question numbers on the application.

1. The information provided herein must be identical to the information provided on the General Information Notice (GIN). See question 1.A on the GIN to ensure the correct information is provided.
2. The case number will be assigned upon receipt of a complete GIN and Initial Notice fee. If submitting this application with the completed GIN, then this question may be completed as pending, unknown or simply left blank. If submitting this application in response to a deficiency letter or subsequent to the filing of the GIN, please provide the ISRA Case number to ensure expeditious processing of your application.
3. Check the appropriate statement that applies and include a copy of the referenced reports.

The Certification must be signed and notarized.

Should you encounter any difficulties in completing this form, we recommend you discuss the matter with a representative of the Department. Submitting incorrect or incomplete information may cause processing delays and possible postponement of your transaction.

Please call (609) 633-0708 between the hours of 8:00 a.m. and 4:30 p.m. to request assistance in completing this application. 10/97

10/97

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF FIELD OPERATIONS-ISRA INITIAL NOTICE
P.O. BOX 435
401 EAST STATE STREET
TRENTON, NJ 08625-0435

INDUSTRIAL SITE RECOVERY ACT

REGULATED UNDERGROUND STORAGE TANK WAIVER

The purpose of this Affidavit is to obtain the New Jersey Department of Environmental Protection's approval of a Regulated Underground Storage Tank Waiver pursuant to the Industrial Site Recovery Act, N.J.A.C. 7:26B-5.3. The Department may require the applicant to submit additional information and documentation to support the applicant's certifications contained in this application.

PLEASE TYPE OR PRINT

Date _____

1. Industrial Establishment

Name _____

Street Address _____

Municipality _____ County _____

Tax Block (s) _____ Tax Lot(s) _____

2. Has a General Information Notice (GIN) been filed for this transaction?

If yes, ISRA Case No. _____

If no, attach a completed GIN to this application.

3. I hereby state that: (check the appropriate statement)

I hereby state that a preliminary assessment report and site investigation report, as applicable, have been completed at the industrial establishment listed above in accordance with the Technical Requirements for Site Remediation, N.J.A.C. 7:26E as evidenced by the attached copy of the completed preliminary assessment/site investigation report.

Based on the preliminary assessment report and site investigation report as applicable, (check the appropriate statement)

The only area of environmental concern at the referenced industrial establishment is a regulated underground storage tank or tanks as defined pursuant to N.J.S.A.58:10A-21 et seq., the New Jersey Underground Storage of Hazardous Substances Act, and the referenced Industrial Establishment is in compliance with the provisions of N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B for any underground storage tank system covered by the provisions of N.J.S.A 58:10A-21 et seq. and N.J.A.C 7:14B located at the industrial establishment listed above; or

The only discharge of a hazardous substance or hazardous waste at the industrial establishment, or that has migrated off-site above the applicable cleanup criteria are from a leak or discharge from a regulated underground storage tank or tanks and; the referenced Industrial Establishment is in compliance with the provisions of N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B for any underground storage tank system covered by the provisions of N.J.S.A 58:10A-21 et seq. and N.J.A.C 7:14B located at the industrial establishment listed above.

Note: The owner or operator of an Industrial Establishment where there has been a discharge is considered in compliance with the provisions of N.J.S.A. 58:10A-21 et seq. as it relates to the discharge, if the owner or operator has been issued an order or has entered into an agreement with the Department to remediate the discharge and the owner or operator is in compliance with that order or agreement. For the purposes of this section, obtaining a permit to remove a leaking regulated underground storage tank will not qualify the applicant for an ISRA waiver. Until the Department is in receipt of a complete Remedial Investigation Report, the Department does not consider the applicant to be in compliance with N.J.S.A. 58:10A-21 et seq. or to be actively remediating the discharges.

CERTIFICATION:

The following certification shall be signed pursuant to the requirements of N.J.A.C. 7:26B-1.6(e).

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of N.J.S.A. 13:1K-6 et seq., I am personally liable for the penalties set forth at N.J.S.A. 13:1K-13.

Typed/PrintedName_____ Title _____

Signature_____ Date _____

Sworn to and Subscribed Before Me

on this _____ day of _____ 19____

Notary

**Division of Responsible Party Site Remediation
Industrial Site Recovery Act**

INITIAL NOTICE FEE SUBMITTAL FORM

Case # (if known) _____

Case Name (Active Case) _____

Check drawn from the account of _____ Check/M.O. # _____

Amount Enclosed _____

Please circle the appropriate payment location(s)

1.	General Information Notice	\$100.00
2.	Preliminary Assessment Report	\$250.00
3.	Site Investigation Report	\$500.00
4.	Negative Declaration Review	\$100.00
5.	Expedited Review Application●	\$250.00
6.	Remediation in Progress Waiver Application●	\$250.00
7.	Regulated Underground Storage Tank Waiver Application●	\$500.00
8.	Area of Concern Waiver Application●	\$200.00
9.	Limited Site Review Application●	\$450.00
10.	Applicability Determination Application	\$200.00
11.	De minimis Quantity Exemption Application	\$200.00
12.	Limited Conveyance Application●	\$500.00
13.	Remediation Agreement Application	\$1000.00
	Remediation Agreement Amendment Application	\$500.00
14.	Confidentiality Claim	\$250.00
15.	Remedial Action Workplan Deferral Application●	\$750.00

- This fee includes the costs of the Department's review of the General Information Notice required pursuant to N.J.A.C. 7:26B-3.2(a). Any person submitting this fee shall not be required to submit a separate General Information Notice fee.

Note: All applicable fees are due with the submission of each document. A case will remain with the Initial Notice Section up through the submission of a Remedial Investigation Report or the submission of a schedule to implement a Remedial Investigation or Remedial Action at Peril.